

Washington State CONSTRUCTION ADVISORY COMMITTEE (CAC)

Meeting Report

July 21, 2011

Department of Labor and Industries, Tumwater WA

The mission of the Washington State Construction Advisory Committee is to provide a forum where business, labor, and government identify challenges and develop solutions to Washington's construction workplace health and safety challenges.

Committee Leadership Present:

Anne Soiza, Deputy Assistant Director, DOSH;

Herb Heinold, Construction Safety Consultant;

Terry Tilton, Assistant Executive Secretary, Washington State Building and Construction Trades Council

Safety Presentation: Provided by Travis Dodge, a college student completing his Master Degree in civil engineering. He produced a "hanger" that will help with ergonomic support for workers that are installing siding on residential construction.

DOSH Update: *Anne Soiza and Maggie Leland*

- Construction Crane Update: DOSH Crane Safety Division has been charged with the accreditation, monitoring, renewal, and revocation of accreditation of crane certifiers pursuant to WAC 296-155-531. A handout was distributed with excerpts from the DOSH WRD 8, Crane Safety Inter-Program Coordination. According to this policy, the Crane Safety Division will audit accredited crane certifiers in the following three ways:
 - Each accredited crane certifiers will be audited by a crane Compliance Safety and Health Officer from the Crane Safety Program within one year of their initial accreditation.
 - Accredited crane certifiers may be audited based on findings during the review of submitted crane certification worksheets. If a review finds a pattern or clear issues with the performance of the crane certification process an audit may be ordered.
 - Accredited crane certifiers may also be audited based on valid complaints or referrals regarding the accredited crane certifier's abilities or performances of crane certifications.
 - See WRD 8.70: <http://www.lni.wa.gov/safety/rules/policies/pdfs/wrd870.pdf>
- A question raised at the last meeting was about business licenses and insurance for the auditors. Insurance is not required under the crane rules and is be up to the hiring company

to verify and monitor. We do check for a valid business license and UBI number. DOSH has added a disclaimer to the crane certification list on our website that it is up to the hiring contractor to check for this information.

- Phase 2 of the Crane rule making: DOSH completed the last stakeholder in February; late spring 4,000 surveys on the economic study was sent out, DOSH received 700 back; The document has been reviewed and sent to Judy for signature and are hoping to have it completed by July 27, 2011. DOSH is hoping to have the rule adopted by late November and effective January 2012.
- The legislature provided for permanent funding for the Safety and Health Investment Program (SHIP) grant program. Future grant funds are to be distributed as follows: 50% to general safety and health grants, 25% to fund grants that assist small business safety and health efforts, and 25% to fund injured worker return-to-work programs.
- The 60th Annual Governor's Safety and Health conference is being held at the Great Tacoma Convention Center on September 28-29, 2011. This year's theme is "60 years of investing in tomorrow through safety and health today". Please register on line at www.wagovconf.org.

Rules Update: *Dan McMurdie*

- Abatement: The legislation passed ESSB 5068 relating to abatement of violations of the Washington Industrial and Safety Act during an appeal, which amends RCW 49.17.140. We have begun the rulemaking process and the first stakeholder meeting was held on July 13, 2011. DOSH is working on the first draft and is projecting have it sent three weeks before the next stakeholders meeting and filed by October 2011.
 - Contact Devon Proctor (devin.proctor@lni.wa.gov, 360-902-5541) for information about the abatement rule.
- Compressed Atmosphere: This rule was created in 1960's., it is extremely outdated. Employers are applying for variances to the rule. DOSH is creating a draft rule to deal with the antiquated rule.
- Fall Protection: This rule is still on hold because of the governor's moratorium. DOSH is hoping to file the proposed rule in January after the moratorium is lifted.
- For information on all DOSH rulemaking activities, see:
<http://www.lni.wa.gov/Safety/Rules/WhatsNew/DOSHUpdateSummary.pdf>

SHARP Update: *Barbara Silverstein*

SHARP did a study of the impact of enforcement and consultation visits on workers' compensation claims rates and cost from 1999-2009.

<http://www.lni.wa.gov/Safety/Research/Files/OccHealth/DoshEnforce19992008.pdf>

- For "fixed-site industry workplaces were associated with a decline in claims rates relative to those businesses that had no DOSH visits. DOSH enforcement inspections were associated with a 4.3% larger decrease in compensable claims rates relative to employers with no

DOSH activity. DOSH consultation visits were not associated with a statistical significant decrease in compensable claims rates relative to employers with no DOSH activity.

- At non-fixed sites businesses SHARP has been unable to find significant changes among business in this sector. DOSH enforcement inspections were associated with a 3.1% larger decrease in compensable claims rates relative to employers with no DOSH activity and DOSH consultation visits were associated with an 8.5% larger decrease in compensable claims rates relative to employers with no DOSH activity.

Group Discussion:

- After continuation of the discussion on CAC priorities, the CAC agreed upon establishing the 4 subcommittees to explore issues regarding the following topics: fall protection, (to include flat roofs); CAC mission; the definition of construction; and scheduling of DOSH inspections. While the CAC has a new mission statement, the CAC mission subcommittee with work further on issues surrounding the purpose and structure of the CAC and subcommittees, such as defining roles and responsibilities or developing policies and best practices. DOSH will identify staff members to coordinate the subcommittees. Please send information to Bonnie Simpson for the subcommittee you would like to participate on.

Adjourn

Action Items –

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| DOSH | Identify staff members to coordinate subcommittees |
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Next CAC Meeting:
Date: September 27, 2011
Location: Tacoma Convention Center
Time: 1:00 PM-4:00PM

Attention! If you wish to continue to receive information about the CAC please sign up for the CAC listserv <http://www.lni.wa.gov/Main/Listservs/DOSHCAC.asp>